

**FILED**

**NOV 26 2007**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MARCO ANTONIO HERNANDEZ-  
ROMERO,

Defendant - Appellant.

No. 07-10115

D.C. No. CR-06-01044-DCB

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the District of Arizona  
David C. Bury, District Judge, Presiding

Submitted November 13, 2007<sup>\*\*</sup>

Before: TROTT, W. FLETCHER, and CALLAHAN, Circuit Judges.

Marco Antonio Hernandez-Romero appeals from the 51-month sentence imposed following his guilty-plea conviction for illegal re-entry after deportation, in violation of 8 U.S.C. § 1326(a) and enhanced by (b)(2). We have jurisdiction

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<sup>\*</sup> This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

pursuant to 28 U.S.C. § 1291, and we affirm.

Hernandez-Romero contends that the district court failed to conduct a proper 18 U.S.C. § 3553(a) analysis. We disagree. *See Rita v. United States*, 127 S. Ct. 2456, 2469 (2007); *see also United States v. Perez-Perez*, No. 06-30341, 2007 WL 3052985 at \*1-2 (9th Cir. Oct. 22, 2007).

**AFFIRMED.**